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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 ROBERT H. SMITH, *et al.*,

8 Plaintiffs,

9 v.

10 RYAN W. PHILLIPS, *et al.*,

11 Defendants.

Case No. C17-1457-RSL-MAT

ORDER TO SHOW CAUSE

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13 This is a civil rights action brought under 42 U.S.C. § 1983. On March 28, 2018, the Court
14 issued an Order directing the Clerk to serve plaintiffs' second amended complaint on six named
15 defendants including Robert Cracchilo and J. Seth. (*See* Dkt. 22.) Because plaintiffs identified
16 these individuals as Snohomish County Sheriff's Deputies, the service materials were sent to the
17 Snohomish County Sheriff's Office. (*See id.*) The Court subsequently received waivers of service
18 from these individuals which were forwarded to the Court by the Everett City Attorney's Office.
19 (Dkts. 28, 29.) The Court therefore presumes that these two defendants are employed by the City
20 of Everett and not the Snohomish County Sheriff's Office. While defendants Cracchilo and Seth
21 timely returned their waivers of service, despite the service materials having been misdirected,
22 counsel has not appeared on behalf of these defendants and no answer has yet been filed.
23

1 Defendants' answer is now overdue.¹

2 Accordingly, this Court hereby ORDERS as follows:

3 (1) Defendants Cracchilo and Seth shall SHOW CAUSE within *twenty-one (21) days*
4 why default should not be entered against them in this action for failure to timely respond to
5 plaintiffs' second amended complaint.

6 (2) The Clerk is directed to send copies of this Order to plaintiffs, to defendants
7 Cracchilo and Seth in care of the Everett City Attorney's Office, and to counsel for the Snohomish
8 County defendants.

9 DATED this 13th day of June, 2018.

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12 Mary Alice Theiler
13 United States Magistrate Judge
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1 The four Snohomish County defendants timely filed their answer on May 18, 2018. (See Dkt. 35.)